

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

A.K. and P.K., *individually and on behalf of their
disabled daughter L.K., a minor*

Plaintiffs,

-v-

NEW YORK CITY DEPARTMENT OF EDUCATION,
Defendant.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/11/2023**

23-CV-10642 (DEH) (RFT)

ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge.

In this case, Plaintiffs seek attorney's fees in connection with their claims under the Individuals with Disabilities Education Act, Title 20, United States Code, Section 1410 *et seq.* By Order dated December 7, 2023, Judge Dale E. Ho referred the matter to me for General Pretrial Purposes, including settlement. (ECF 5). The parties are directed to my Individual Practice Rules, available at <https://nysd.uscourts.gov/hon-robyn-f-tarnofsky>.

The parties are hereby ORDERED to file a joint letter **no later than two weeks from the date on which Defendant enters an appearance**, indicating whether there is any need for discovery or an initial conference in this case. The joint letter should also indicate whether the parties request an immediate referral to the court-annexed mediation program or for me to schedule a settlement conference. If there is neither a need for discovery nor for an initial case management conference, the parties should include in their joint letter a proposed briefing schedule for any motions, including motions for summary judgment. **Plaintiffs are encouraged to serve Defendants promptly.**

The parties are reminded that they may choose to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before me. If both parties consent to proceed before me, Plaintiffs shall, **within two weeks of the date on which Defendant enters an appearance**, email TarnofskyNYSDChambers@nysd.uscourts.gov a fully executed Notice, Consent, and Reference of a Civil Action to Magistrate Judge form, a copy of which is available at <https://www.nysd.uscourts.gov/node/754>. If the Court approves that form, all further proceedings will then be conducted before me rather than before Judge Ho.

If either party does not consent to conducting all further proceedings before me, the parties shall file a joint letter **by the same deadline** advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. There will be no adverse consequence if the parties do not consent to proceed before me.

Dated: New York, New York
December 11, 2023

SO ORDERED.



Robyn F. Tarnofsky

United States Magistrate Judge